

UNITED STATES BANKRUPTCY COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

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ARTEMUS USA LLC AND EDELMAN
ARTS, INC.

Case No. 22-01174-mg

Plaintiffs,

(Removed Proceeding)

-against-

LEILA TAGHINIA-MILANI INC., LEILA HELLER
ART GALLERY LLC, LEILA HELLER AND
ALEXANDER HELLER,

Defendants.

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**STIPULATION AND ORDER TRANSFERRING CASE
TO UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF DELAWARE**

WHEREAS, on November 28, 2022, Jeoffrey L. Burtch, Chapter 7 Trustee (the “Trustee”) for the bankruptcy estate of Artemus USA LLC, removed the above-captioned proceeding from the Supreme Court of the State of New York, County of New York (the “State Court”) to the United States District Court for the Southern District of New York (the “SDNY”) by timely filing a *Notice of Removal* pursuant to Rule 9027 of the Federal Rules of Bankruptcy Procedure and 28 U.S.C. § 1452;

WHEREAS, shortly thereafter, above-captioned proceeding was transferred to this Court in accordance with the SDNY’s Standing Order of Reference;

WHEREAS, on December 5, 2022, the Trustee filed the *Motion To Transfer Removed Civil Action To U.S. Bankruptcy Court For The District Of Delaware* (the “Transfer Motion”), seeking the entry of an order pursuant to 28 U.S.C. § 1412 and Rule 7087 of the Federal Rules of Bankruptcy Procedure transferring the above-captioned proceeding to the United States

Bankruptcy Court for the District of Delaware;

WHEREAS, the parties have conferred and agreed to transfer the above-captioned proceeding from this Court to the United States Bankruptcy Court for the District of Delaware pursuant to the Transfer Motion;

IT IS THEREFORE STIPULATED AND AGREED by the undersigned attorneys, for their respective clients as follows:

1. The foregoing recitals are hereby fully incorporated into and made an express part of this Stipulation and Agreed Order.

2. The above-captioned proceeding shall be immediately transferred to the United States Bankruptcy Court for the District of Delaware and shall continue as an adversary proceeding associated with the bankruptcy case styled *In re Artemus USA LLC*, case no. 22-10281 (JKS), pending before the Honorable J. Kate Stickles.

3. Defendants Leila Taghnia-Milani Inc., Leila Heller Art Gallery LLC, Leila Heller and Alexander Heller (collectively, the “Defendants”) may file a motion seeking abstention or remand of the proceeding to State Court within thirty (30) days from the date that this Stipulation and Order is “So-Ordered” by the Court;

4. The Court shall retain jurisdiction to hear and determine all matters arising from the implementation of this Stipulation and Order; however, the adversary proceeding shall be closed by the clerk of the Court immediately upon transfer of the proceeding to the United States Bankruptcy Court for the District of Delaware.

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/s/ Richard Lerner

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*Attorneys for Jeoffrey L. Burtch, Chapter 7 Trustee
For the Estate of Artemus USA, LLC*

SO ORDERED:

Dated: New York, New York
December ____, 2022

HONORABLE MARTIN GLENN
CHIEF UNITED STATES BANKRUPTCY JUDGE